

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GAIL K. DIAMOND,

Plaintiff,

v.

JOHN MOSBY, et al.,

Defendants.

CASE NO. C22-1808JLR

ORDER

Before the court is Plaintiff Gail K. Diamond's motion requesting the United States Marshals Service to serve the summons and complaint on Defendants John Mosby, Michael Pham, and Jennifer Sandler. (Mot. (Dkt. # 14).) Ms. Diamond proceeds *pro se* and *in forma pauperis* ("IFP"). (See Order Granting IFP Status (Dkt. # 4).) Upon an IFP plaintiff's request, "the officers of the court shall issue and serve all process." 28 U.S.C. § 1915(d). Federal Rule of Civil Procedure 4(c)(3) further provides, "[a]t the plaintiff's request the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court. The court must so order if the

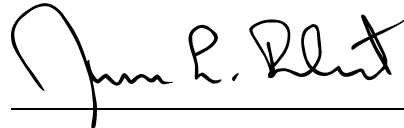
1 plaintiff is authorized to proceed in forma pauperis.” Fed. R. Civ. P. 4(c)(3); *see also*
2 *Boudette v. Barnette*, 923 F.2d 754, 757 (9th Cir. 1991) (“[A]n IFP plaintiff must request
3 service of the summons and complaint by court officers before the officers will be
4 responsible for effecting such service.”).

5 The court previously extended the deadline for Ms. Diamond to effect service to
6 April 17, 2023, for good cause shown. (4/4/23 Min. Order (Dkt. # 11).) The court
7 further extends the deadline for the United States marshal or deputy marshal to effect
8 service to **May 12, 2023**.

9 Pursuant to Rule 4(c)(3), the court GRANTS Ms. Diamond’s motion (Dkt. # 14)
10 and ORDERS as follows:

- 11 1) The Clerk shall provide a copy of this order, the complaint (Dkt. # 5), Ms.
12 Diamond’s motion (Dkt. # 14), the summonses for Mr. Pham and Ms. Sandler
13 (Dkt. # 9), and the amended summons for Mr. Mosby (Dkt. # 13), to the United
14 States marshal or deputy marshal no later than **April 12, 2023**;
- 15 2) The deadline to effect service is EXTENDED to **May 12, 2023**; and
- 16 3) The United States marshal or deputy marshal shall serve Defendants John
17 Mosby, Michael Pham, and Jennifer Sandler with the applicable summons and
18 complaint no later than **May 12, 2023**.

1 Dated this 11th day of April, 2023.

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4 JAMES L. ROBART
5 United States District Judge
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